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PATENT  
Customer No. 22,852  
Attorney Docket No. 09108.0003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Kazutaka AKIYAMA ) Group Art Unit: 2814  
Application No.: 10/657,119 ) Examiner: Phat X. CAO  
Filed: September 9, 2003 )  
For: A SEMICONDUCTOR DEVICE ) Confirmation No.: 9224  
INCLUDING A MIM CAPACITOR )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO/SB/08 form. Applicant files this Information Disclosure Statement (IDS) after the period set forth in 37 C.F.R. § 1.97(b), but before the mailing date of either a Final action, Quayle action, or a Notice of Allowance, to the undersigned representative's knowledge at the time of filing this IDS. This IDS supplements the IDS filed on December 19, 2003.

Under the provisions of 37 C.F.R. § 1.97(c), this Supplemental Information Disclosure Statement includes the following certification as specified by Section 1.97(e): the documents listed in this IDS were first cited in a Japanese Office Action mailed by the Japanese Patent Office on June 6, 2006 in counterpart Japanese Application No. 2003-194419, and this IDS is being filed within three months of the mailing date of that communication.

In lieu of Statement of Relevance, Applicant attaches an English language translation of the Japanese Office Action.

Applicant respectfully requests that the Examiner consider the listed documents and indicate their consideration by making appropriate notation on the attached PTO/SB/08 form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicant determines that the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status such documents.

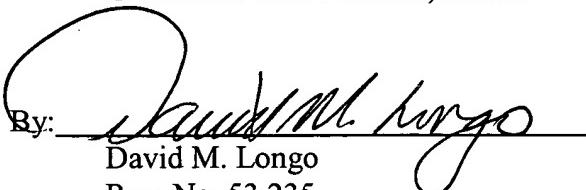
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

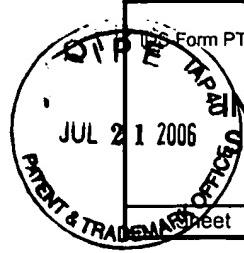
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: July 21, 2006

By:   
David M. Longo  
Reg. No. 53,235



U.S. Form PTO/SB/08: Substitute for form 1449A/PTO				<b>Complete if Known</b>	
				<i>Application Number</i>	10/657,119
				<i>Filing Date</i>	September 9, 2003
				<i>First Named Inventor</i>	Kazutaka AKIYAMA
				<i>Art Unit</i>	2814
				<i>Examiner Name</i>	Phat X. CAO
(Use as many sheets as necessary)				<i>Attorney Docket Number</i>	09108.0003
Sheet	1	of	1		

## **U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS**

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		JP 2002-134506	05/10/2002			Abstract
		JP 2002-367996	12/20/2002			Abstract

## **NON PATENT LITERATURE DOCUMENTS**

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		Copy of Japanese Office Action entitled, "Notification of Reasons for Rejection," mailed by the Japanese Patent Office on June 6, 2006 in counterpart Japanese Application No. 2003-194419	Yes

Examiner Signature		Date Considered	
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.